

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION (L) NO.2324 OF 2016

ATC Telecom Infrastructure Pvt. Ltd.

...Petitioner

Versus

The State of Maharashtra & Ors.

...Respondents

...

Mr. Surel S. Shah i/b. Mr. Hafeezur Rahman for the Petitioners.

Ms Jyoti Jadhav, AGP for Respondent No.4-State.

Ms Geeta Joglekar for BMC.

CORAM : RANJIT MORE &
SMT. ANUJA PRABHUDESSAI, JJ.

DATED : 5th OCTOBER, 2016

P. C. :

Mr. Shah, the learned counsel for the Petitioner, having taken instructions from his client, seeks leave to withdraw the petition with liberty to file application for regularisation of subject Mobile Towers in accordance with the policy of the Corporation. Leave with liberty as prayed for is granted.

2. The writ petition is dismissed as withdrawn.

3. In the event, such an application for regularisation is filed within four weeks from today, the Respondent No.1-Corporation shall decide the same as expeditiously as possible and preferably within a period of four weeks after the receipt of the application for regularisation.

4. Needless to mention that the Respondent No.1-Corporation shall decide the application for regularisation independently in accordance with law, rules and regulations. All points and contentions of the respective parties are expressly kept open.

5. During the pendency of the application for regularisation, the Corporation shall not take any coercive action against the Petitioner in respect of the subject mobile towers. In the event decision on the application for regularisation is adverse to the interest of the Petitioner, same shall not be implemented for a period of two weeks from the date of communication of the same to the Petitioner.

(ANUJA PRABHUDESSAI, J.)

(RANJIT MORE, J.)